

*Conc'd*  
3  
4 and said controller occupies a small volume in said battery pack  
in comparison to said battery.

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**REMARKS**

Claims 49-60 were pending prior to entry of applicants amendment. All of claims 49-60 were rejected by the examiner on the grounds of non-statutory double patenting over applicant's commonly owned United States Patent No. 4,885,523. The enclosed amendment adds claims 61-196 to the application, leaving claims 49-196 now pending.

**Non-Statutory Double Patenting Rejection**

The only ground for rejection of claims 49-60 is non-statutory double patenting. Applicants enclosed terminal disclaimer is believed to overcome this rejection. Entry of applicants terminal disclaimer is required and allowance of claims 49-60.

**Additional Claims**

Applicant submits additional claims 61-196. These claims further refine the scope of the subject matter to which applicant believes he is entitled. The required fee of \$4,170.00 is enclosed for 120 independent and 16 dependent claims.

**Deposit Account Charge Authorization**


Please charge any additional fees and credit any overpayment incurred in connection with this Amendment and Response to First Office Action to Deposit Account No. 13-0017.

Entry of applicant's amendments and terminal disclaimer and allowance of all claims is respectfully requested. Please direct any questions or communications regarding this response to:

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Date

Respectfully submitted,



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